

U.S. Department of Justice



United States Attorney
Southern District of New York

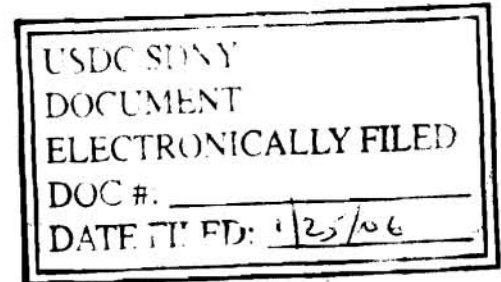
MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 24, 2006

BY HAND

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: United States v. Dominick Rose,
05 Cr. 1214 (KMK)

Dear Judge Karas:

The Government respectfully submits this letter to request, jointly with the defense, that the pre-trial conference scheduled for Friday, January 27, 2006 be adjourned for approximately four weeks. This request is prompted by the fact that although a pre-trial disposition seems likely, the parties have not been able to schedule the necessary final meetings and prepare the paperwork because I am about to start a three-four week securities fraud trial in *United States v. Adelson*, S2 05 Cr. 325 (JSR) and defense counsel is out on paternity leave (although another attorney is covering his desk).

Further, the Government respectfully requests that the time between January 27, 2006, and the next scheduled pre-trial conference be excluded under the Speedy Trial clock based on a finding that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(8)(A) to allow defense counsel to continue to review discovery and allow the parties to continue to discuss a pre-trial disposition in this case.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:

[Signature]
Alexander H. Southwell
Assistant United States Attorney
(212) 637-2417

SO ORDERED

cc: Mark Gomberger/Chris Flood (via facsimile)

KENNETH M. KARAS U.S.D.J.

[Signature]
1/25/06

The application to adjourn the conference is DENIED.